101-551

Public Law 101-551
101st Congress

An Act

To amend the National Capital Transportation Act of 1969 relating to the Washington Metrorail System.

Nov. 15, 1990
[H.R. 1463]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Capital Transportation Amendments of 1990.

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Capital Transportation Amendments of 1990".

SEC. 2. AMENDMENT TO NATIONAL CAPITAL TRANSPORTATION ACT OF 1969.

Effective upon enactment, the National Capital Transportation Act of 1969 (Public Law 91-143; 83 Stat. 320) is amended by adding at the end thereof the following new section:

"AUTHORIZATION OF ADDITIONAL FEDERAL CONTRIBUTIONS FOR CONSTRUCTION

"SEC. 17. (a) The Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized by sections 3 and 14, for the purpose of financing in part the cost of construction of the Adopted Regional System.

"(b) Federal grants under subsection (a) for the Adopted Regional System shall be subject to the following limitations and conditions:

"(1) The work for which such grants are authorized shall be subject to the provisions of the Compact and shall be for projects included in the Adopted Regional System.

"(2) The aggregate amount of such Federal grants made during any fiscal year shall be matched by the local participating governments by payment of capital contributions of not less than 60 percent of the amount of such Federal grants and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Any public or private transit system funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

"(3) Such grants shall be subject to terms and conditions that the Secretary may deem appropriate for constructing the Adopted Regional System in a cost-effective manner which maximizes the rate at which appropriated funds can be utilized to complete all segments for which funds have been authorized.

"(c) In addition to funds authorized under section 14, there is authorized to be appropriated to the Secretary of Transportation for the purpose of making grants to complete the Adopted Regional System as provided in subsection (a) an aggregate amount not to exceed $1,300,000,000 to be available in increments over 8 fiscal years beginning in fiscal year 1992, or until expended.

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"(d) Amounts appropriated pursuant to the authorization under subsection (c)—

"(1) shall remain available until expended; and

"(2) shall be in addition to, and not in lieu of, amounts available to the Transit Authority under the Urban Mass Transportation Act of 1964, as amended, and section 103(e)(4) of title 23, United States Code.".

SEC. 3. COMPLETION OF THE ADOPTED REGIONAL SYSTEM.

The Congress recognizes the importance of a mass transportation system to serve the capital of the United States and reaffirms its commitment to the construction of the full 103-mile Adopted Regional Metrorail System in a continuing partnership of the Federal, State, and local governments in the metropolitan Washington region. It is the intent of Congress to ensure continued Federal funding to complete the full Metrorail system. Those portions of the full system remaining to be completed include in the District of Columbia and the State of Maryland, the Green Line between the Anacostia and Branch Avenue Stations; in the District of Columbia, the Green Line between the U Street-Cardozo and Fort Totten Stations; in the State of Maryland, the Red Line between the Wheaton and Glenmont Stations; and in the Commonwealth of Virginia, the Yellow Line between the Van Dorn Street and Franconia-Springfield Stations.

Government contracts.

SEC. 4. PROHIBITION ON USE OF HIGHWAY TRUST FUND.

Notwithstanding this Act, any amendment made by this Act, or any other law, no moneys shall be appropriated from the Highway Trust Fund for the purpose of making grants pursuant to section 17(a) of the National Capital Transportation Act of 1969.

SEC. 5. BUY AMERICAN PROVISION.

(a) REPORT TO CONGRESS.—The Washington Metropolitan Area Transit Authority shall report to Congress (1) on contracts which the Transit Authority enters into with foreign entities with respect to its rail system in fiscal years 1991 and 1992 and which are subject to the Buy American provisions of the Surface Transportation and Assistance Act of 1982 or the Surface Transportation and Uniform Relocation Assistance Act of 1987, and (2) on the number of such contracts which meet the requirements of such provisions but which are determined by the United States Trade Representative to be in violation of the General Agreement on Tariffs and Trade or any other international agreement to which the United States is a party.

(b) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—If the Secretary of Transportation determines that any person intentionally affixes a label bearing a "made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall declare that person ineligible to receive a Federal contract with the Washington Metropolitan Area Transit Authority for its rail system for a period of not less than 3 years and not more than 5 years. The Secretary may bring action against such person to enforce this subsection in any United States district court.

Law enforcement. Courts.

SEC. 6. RESTRICTIONS ON CONTRACT AWARDS.

No foreign government shall be eligible to receive a contract with the Washington Metropolitan Area Transit Authority for its rail

system if that government unfairly maintains, in government procurement, a significant and persistent pattern or practice of discrimination against United States products or services which result in identifiable harm to United States businesses, as identified by the President pursuant to section 305(g)(1)(A) of the Trade Agreements Act of 1979.

Approved November 15, 1990.

LEGISLATIVE HISTORY—H.R. 1463 (S. 612):

HOUSE REPORTS: No. 101-430 (Comm. on the District of Columbia).
SENATE REPORTS: No. 101-415 accompanying S. 612 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 136 (1990):
Mar. 28, considered and passed House.
Oct. 25, considered and passed Senate, amended, in lieu of S. 612.
Oct. 26, House concurred in Senate amendment.

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